REMARKS

I. STATUS OF THE CLAIMS

In accordance with the foregoing, no claims have been amended. Claims 16-85 are pending and under consideration. Reconsideration is respectfully requested.

II. DECLARATION UNDER 37 CFR § 1.131(a)

In item 1 on pages 2-3 of the present Office Action, the Examiner asserts that "37 CFR § 1.131(a) does not specifically state that conception can be established by using "The invention disclosure form"" signed in Korea.

However, it is respectfully submitted that the submission of Applicant's "Invention Disclosure Form" filed in Korea is sufficient to establish invention of Applicant's subject matter, as claimed in claims 16-85, prior to the effective date of the Cato (US 6,412,111) reference. For example, with respect to the general requirements for facts and documentary evidence under 37 CFR § 1.131(a), MPEP § 715.07(I) states: "The essential thing to be shown under 37 CFR § 1.131 is priority of invention and this may be done by **any** satisfactory evidence of the fact." (Emphasis Added).

MPEP § 715.07(I) further states: "the allegations of fact might be supported by submitting as evidence ... (H) **Disclosure documents** (MPEP § 1706) may be used as documentary evidence of conception."

In view of the above, it is respectfully submitted Applicant's "Invention Disclosure Form" is satisfactory evidence establishing priority of invention.

Further, in lines 1-3 on page 3 of the Office Action, the Examiner asserts that "Applicants do not provide any fact for evidence to show that the Republic of Korea became a member of the WTO since January 1, 1995.

However, it is respectfully submitted that a simple search of the WTO's website at, for example, "**http://www.wto.org/english/thewto_e/whatis_e/tif_e/org6_e.htm**", would reveal that the date of membership of the Republic of Korea in the WTO is January 1, 1995. Moreover, for the convenience of the Examiner, a copy of the dates of membership of the 149 members of the WTO as of December 11, 2005 is attached with this Response. It clearly shows that the date of membership of the Republic of Korea in the WTO is January 1, 1995.

Further, in lines 4-7 on page 3, the Examiner appears to rely on *In re Mulder*, 219 USPQ 189 (1983) in asserting that conception must take place in the United States. Further, in item 2 on pages 3-4 of the current Office Action, the Declaration under 37 CFR § 1.131(a) filed on September 30, 2003 was found to be insufficient to establish conception of the invention prior to the effective date of the Cato (US 6,412,111) reference. This finding was based on the holding in *In re Mulder.*

However, it is respectfully submitted that the Applicant's set of facts in this present application distinguishes over *In re Mulder* because *In re Mulder* is a 1983 case, and the patent rules under 37 CFR which *In re Mulder* relied upon have been revised since 1983.

On page 2 of the current Office Action, the Examiner correctly cited the current applicable version of 37 CFR § 1.131(a) which recognizes that prior invention may be established under 37 CFR § 1.131(a) in the United States, a NAFTA country, or a WTO member country. See also, for example, MPEP § 715, and the last paragraph on page 2 of the current Office Action.

Therefore, it is respectfully submitted that under 37 CFR § 1.131(a), conception may take place in a World Trade Organization (WTO) member country on or after January 1, 1996 for purposes of antedating a reference under 37 CFR § 1.131(a). The Republic of Korea, where conception and reduction to practice took place, has been a member of the WTO since January 1, 1995.

In view of the foregoing, it is respectfully submitted that Cato is no longer prior art and claims 16-85 are allowable. Withdrawal of the foregoing rejection is respectfully requested.

III. REJECTIONS UNDER 35 U.S.C. § 102(e)

In item 4 on page 4 of the current Office Action, claims 16-35 and 37-81 were rejected under 35 U.S.C. § 102(e) as being anticipated by Cato (US 6,412,111). This rejection is traversed.

In view of the foregoing, it is respectfully submitted that Cato is no longer prior art and claims 16-35 and 37-81 are allowable. Withdrawal of the foregoing rejection is respectfully requested.

IV. REJECTIONS UNDER 35 U.S.C. § 103

In item 6 on page 13 of the current Office Action, claim 36 was rejected under 35 U.S.C.

§103(a) as being unpatentable over Cato. This rejection is traversed.

In view of the foregoing, it is respectfully submitted that Cato is no longer prior art and claim 36 is allowable. Withdrawal of the foregoing rejection is respectfully requested.

In item 7 on page 14 of the current Office Action, claims 82-85 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cato in view of Mankovitz (US 6,459,719). This rejection is traversed.

In view of the foregoing, it is submitted that Cato is no longer prior art and claims 82-85 patentably distinguish over Mankovitz. Withdrawal of the foregoing rejection is respectfully requested.

IV. CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: April 26, 2006

By: _____

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